

NOTICE OF ERROR
REPLY

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DEC 06 2006
IDWR/North

08/18/2006

NOV 30 2006

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 22, 2006

Water right number: 79-10228

JANET M DEVLIEG
PO BOX 455
CLARKSTON WA 99403
Telephone Number: (509) 243-4463

Janet Devlieg Pope (married)

243-4444

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

11-20-06

SIGNATURE:

Janet M. Devlieg Pope
JANET DEVLIEG POPE

Please print your name:

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

10/23/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-10228

NAME AND ADDRESS: JANET M DEVLTEG
PO BOX 485
CLARKSTON WA 99403

*see changes
update
see page*

RECEIVED

NOV 30 2006

DEPARTMENT OF
WATER RESOURCES

SOURCE: BURNT CREEK
HOME SWEET HOME CREEK
MAHONEY CREEK
SPRING

TRIBUTARY: SALMON RIVER
TRIBUTARY: SALMON RIVER
TRIBUTARY: SALMON RIVER
TRIBUTARY: SINKS

QUANTITY: 0.060 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1910

POINT OF
DIVERSION:

T30N R02W S2 NWNWSW End of Stream Flow Within IDAHO County
T30N R02W S2 SWNWSW Begin of Stream Flow Within IDAHO County
T30N R02W S2 SESESW Begin of Stream Flow Within IDAHO County
T30N R02W S2 NWNWSE End of Stream Flow Within IDAHO County
T30N R02W S12 SENWSW Within IDAHO County
T30N R02W S12 SESWSW Within IDAHO County
T30N R02W S12 SESESW Within IDAHO County
T30N R02W S12 NWNSE End of Stream Flow Within IDAHO County
T30N R02W S12 SWNESE Begin of Stream Flow Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	03/01 11/30	0.020 CFS

PLACE OF USE:

STOCKWATER Within IDAHO County

T30N R02W S02	NESW	T30N R02W S02	NWSW
T30N R02W S02	SESW	T30N R02W S02	NWSE
T30N R02W S12	NWSW	T30N R02W S12	SWSW
T30N R02W S12	SESW	T30N R02W S12	NESE
T30N R02W S12	NWSE		
<u>DOMESTIC Within IDAHO County</u>			
T30N R02W S12	SWSW		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number A 79-10228
Date Received 7/27/88
Receipt Number N-776**RECEIVED**
AUG 1 1988**NOTICE OF CLAIM
TO A
WATER RIGHT**Department of Water Resources
Western Regional OfficeACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) JANET M. DEVLIEG Phone 208 243 4463
Mailing Address P.O. BOX 455, CLARKSTON, WA Zip 99403
2. Date of Priority (Only one (1) per claim) 4/1/1910
3. Source of water supply (a) Various Springs Mahoney, Burnt, Home Sweet Home Creek
which is tributary to (b) Salmon River
4. Location of point of diversion is: Township 30 N Range 2 W
SAME AS P/U IN #10
Section 12 + 2 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.,
County of Idaho
- Additional points of diversion if any: _____
5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
Pipelines from Springs to House, Pipelines from Springs
to Pond below House. INSTREAM STOCK WATER
6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
For Domestic purposes from 1/1 (Both dates are inclusive) to 12/31 amount 0.04 (cfs)
For Stockwater purposes from 3/1 to 11/30 amount 0.03
7. Total quantity claimed 0.07 (cfs)
8. Total consumptive use claimed is de minimus
9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 1 Household, 50 Head Cattle, 5 Head Horses

MICROFILMED
Copies: White, Sinter, Yellow, Claimant

OCT 06 1992

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
SPRINGS to POPP STREAM	30N	2W	12									D	S	S				
STREAM	30N	2W	12												S			
STREAM	30N	2W	2												S			S

11. In which county (ies) are lands listed above as place of use located? 5 Idaho

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
NONE or None ()

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Janet M. Seeling Date 7-27-88
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of KOOTENAI) SS.

Subscribed and sworn (or affirmed) before me this 27th day of July 19 88

SEAL

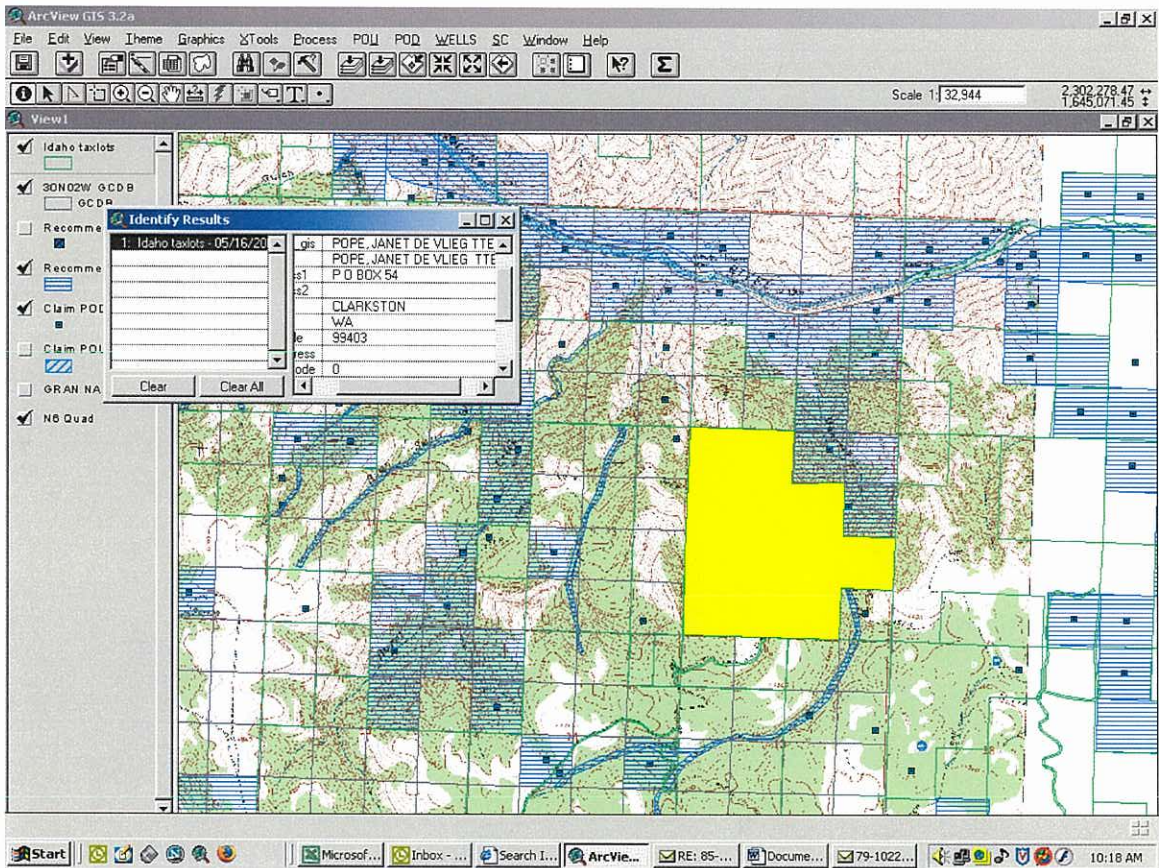
Notary Public Allen Berghel

Residing at Coeur d'Alene

My Commission Expires 7/20/94

Last Name _____ Ident No. A79-10228 Copies White-State, Yellow-Claimant

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Attributes of [2035] selected

Attributes of Idaho taxlots

Shape	Updated	Pin	Owner pin	Owner	Address1	Address2	City
Polygon	05/16/2005	RP30N02W09301	HORSESHOE BEND RANCH INC	HORSESHOE BEND RANCH INC	1910 CHAPEL DRIVE		PHILOMATH
Polygon	05/16/2005	RP30N02W12121	POPE, JANET DE VLEG TTE	POPE, JANET DE VLEG TTE	P O BOX 54		CLARKSTON
Polygon	05/16/2005	RP30N02W12901	WRIGHT, LAVERN E. ETAL	WRIGHT, LAVERN TESTAMENTARY	RT 4		COTTONWOOD
Polygon	05/16/2005	RP30N02W23393	POPE, JANET DE VLEG TTE	POPE, JANET DE VLEG TTE	P O BOX 54		CLARKSTON
Polygon	05/16/2005	RP31N02W16211	ENNEKING JOE RANCH INC	ENNEKING JOE RANCH INC	HC 3 BOX 374		COTTONWOOD
Polygon	05/16/2005	RP30N02E36240	VOPAT, KEVIN S. ETUX	VOPAT, KEVIN S.	RT 2 BOX 875		GRANGEVILLE
Polygon	05/16/2005	RP30N02E36181	VOPAT, JAMES H.	VOPAT, JAMES H.	RT 2 BOX 667		GRANGEVILLE
Polygon	05/16/2005	RP31N01W02423	CHMELIK, JAMES A	CHMELIK, JAMES A	HCR 3 BOX 111-D		COTTONWOOD
Polygon	05/16/2005	RP31N01W02482	SEUBERT, J P	SEUBERT, JEANNE M (CHERIE)	P O BOX 57		COTTONWOOD
Polygon	05/16/2005	RP31N01W02004	SEUBERT, ALMIRA L ETAL TRUSTEE	SEUBERT, ALMIRA L ETAL	C/O ANDERSON, SHARON	1951 GEMSTONE DRIVE	WALLA WALLA
Polygon	05/16/2005	RP31N01W10632	LAURINO, JAMES A	LAURINO, JAMES A	1507 S2ND ST, APT 22		STURTEVANT
Polygon	05/16/2005	RP31N01W25101	JUNGERT, WILLIAM L ETUX	JUNGERT, WILLIAM L	RT 3 BOX 131		COTTONWOOD
Polygon	05/16/2005	RP31N01W25381	JUNGERT, TONYA	JUNGERT, TONYA	RT 3 BOX 132		COTTONWOOD
Polygon	05/16/2005	RP31N01W25261	JUNGERT, SCOTT & JUNGERT, MAR	JUNGERT, SCOTT	RT 3 BOX 132A		COTTONWOOD
Polygon	05/16/2005	RP31N01W25061	JUNGERT, WILLIAM L ETUX ETAL	JUNGERT, WILLIAM L ETUX ETAL	RT 3 BOX 131		COTTONWOOD
Polygon	05/16/2005	RP32N01W08691	TIDWELL, RICK TRUSTEE	TIDWELL, RICK TRUSTEE	RT 4 BOX 300		COTTONWOOD
Polygon	05/16/2005	RP32N01W26122	ROESNER, SHANE	ROESNER, SHANE	716 AIRWAY AVE		LEWISTON
Polygon	05/16/2005	RP32N01W33843	WASSMUTH, DELMAR	WASSMUTH, DELMAR	RT 3 BOX 133A		COTTONWOOD
Polygon	05/16/2005	RP32N01W33840	WASSMUTH, MARK	WASSMUTH, MARK	RT 1 BOX 133		GREENCREEK
Polygon	05/16/2005	RP32N02E02481	ROSENAU, WILLARD H	ROSENAU, WILLARD H	RT 2 BOX 75		KAMIAH
Polygon	05/16/2005	RP32N02E02690	BIG BUTTE COMMUNITY HALL, INC	BIG BUTTE COMMUNITY HALL, INC	RT 2 BOX 73		KAMIAH
Polygon	05/16/2005	32N02E07781	MIZER, MICHAEL R	MIZER, MICHAEL R			
Polygon	05/16/2005	RP32N02E07240	MIZER, MICHAEL R	MIZER, MICHAEL R	RT 1 BOX 120		GREENCREEK
Polygon	05/16/2005	RP32N02E07601	SCHUMACHER, EDMUND ETUX	SCHUMACHER, EDMUND	RT 1 BOX 103-C		GREENCREEK
Polygon	05/16/2005	RP32N02E18003	SONNEN, VERN ETAL	SONNEN, VERN & ED *	RT 1 BOX 200-L		COTTONWOOD
Polygon	05/16/2005	RP32N02E15061	NIXDOLL, RICHARD C ETUX	NIXDOLL, RICHARD C	RT 1 BOX 102		GREENCREEK
Polygon	05/16/2005	RP32N02E28496	WASSMUTH, FLORENCE M ETAL	WASSMUTH, MARK *	RT 1 BOX 133		GREENCREEK
Polygon	05/16/2005	RP30N02E13811	KELLEY, MARK F & KELLEY, DEBRA	KELLEY, MARK F	RT 1 BOX 261		GRANGEVILLE
Polygon	05/16/2005	RP30N02E13811	KELLEY, MARK	KELLEY, MARK	P O BOX 261		GRANGEVILLE
Polygon	05/16/2005	RP30N02E26121	HAUGER, PAUL D	HAUGER, PAUL D	RT 1 BOX 813		GRANGEVILLE
Polygon	05/16/2005	RPW002006005	SICKLES, DONALD E JR ETUX	SICKLES, DONALD E JR (H & W)	P O BOX 6		WHITE BIRD
Polygon	05/16/2005						
Polygon	05/16/2005	RP30N03E02782	STAMPER, SAM J	STAMPER, SAM J	RT 2 BOX 226		GRANGEVILLE
Polygon	05/16/2005	32N07E99999	KIDDER ANNEX				
Polygon	05/16/2005	RP24N01E04861	PAYTON, RAYMOND E	PAYTON, RAYMOND E	P O BOX 309		RIGGINS
Polygon	05/16/2005	RP24N01E04601	SCOTT, J B	SCOTT, J B	P O BOX 70001		BOISE

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A79-10228
Date Received: 7/27/1988
Receipt No: N000776
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JANET M. DEVLIEG 509-243-4463
Address: BOX 455
CLARKSTON, WA 99403

2. Date of Priority: APR 01, 1910

3. Source: SPRINGS Trib. to: SALMON RIVER
MAHONEY CREEK SALMON RIVER
BURNT CREEK SALMON RIVER
HOME SWEAT HOME CREEK SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
30N	02W	2	NE	SW			IDAHO
			NE	SE			IDAHO
			SE	SE			IDAHO
		12	NW	SW			IDAHO
			SW	SW			IDAHO
			SE	SW			IDAHO
			NE	SE			IDAHO

5. Description of diverting works:
PIPELINES FROM SPRINGS TO HOUSE & PONDS. INSTREAM STOCKWATERING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	03/01	11/30	0.030		

7. Total Quantity Appropriated is:
0.070 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 HOME. S/50 CATTLE & 5 HORSES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
30N	02W	2	NE	SW		STOCK	
			NE	SE		STOCK	
			SE	SE		STOCK	
		12	NW	SW		DOMEST	
			NW	SW		STOCK	
			SW	SW		STOCK	
			SE	SW		STOCK	
			NE	SE		STOCK	

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

NONE

14. Remarks:

INSTREAM STOCKWATERING FROM THE STREAMS IN NESE SECTION 12 &
NESW, NESE, SESE IN SECTION 2

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

01/29/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-10228

NAME AND ADDRESS: JANET M DEVLIEG
PO BOX 455
CLARKSTON WA 99403

SOURCE: BURNT CREEK
HOME SWEET HOME CREEK
MAHONEY CREEK
SPRING

TRIBUTARY: SALMON RIVER
TRIBUTARY: SALMON RIVER
TRIBUTARY: SALMON RIVER
TRIBUTARY: SINKS

QUANTITY: 0.060 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1910

POINT OF DIVERSION:

T30N R02W S2 NWNWSW End of Stream Flow Within IDAHO County
T30N R02W S2 SWNWSW Begin of Stream Flow Within IDAHO County
T30N R02W S2 SESESW Begin of Stream Flow Within IDAHO County
T30N R02W S2 NWNWSE End of Stream Flow Within IDAHO County
T30N R02W S12 SENWSW Within IDAHO County
T30N R02W S12 SESWSW Within IDAHO County
T30N R02W S12 SESESW Within IDAHO County
T30N R02W S12 NWNESE End of Stream Flow Within IDAHO County
T30N R02W S12 SWNESE Begin of Stream Flow Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	03/01 11/30	0.020 CFS

PLACE OF USE: DOMESTIC Within IDAHO County
T30N R02W S12 SWSW
STOCKWATER Within IDAHO County

T30N R02W S02	NESW	T30N R02W S02	NWSW
T30N R02W S02	SESW	T30N R02W S02	NWSE
T30N R02W S12	NWSW	T30N R02W S12	SWSW
T30N R02W S12	SESW	T30N R02W S12	NESE
T30N R02W S12	NWSE		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

RIGHT NUMBER: 79-10228

NAME & ADDRESS: JANET M DEVLIEG
BOX ~~455~~ ⁵⁴
CLARKSTON WA 99403SOURCE: SPRINGS
MAHONEY CREEK
BURNT CREEK
HOME SWEET HOME CREEKTRIBUTARY: SALMON RIVER
SALMON RIVER
SALMON RIVER
SALMON RIVER

QUANTITY: 0.07 CFS

PRIORITY DATE: 04/01/1910

POINT OF DIVERSION: T30N R02W S02

/ NESW - Burnt Creek - B = SW NESEW
Within IDAHO County
/ NESE
/ SESE
S12
NWSW Spring
SWSW "
SESW "
/ NESE - Mahoney Cr. B = SW NESE, S12
E = NW NESE, S12.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	03-01 11-30	0.03 CFS
	DOMESTIC D/1 HOME. S/50 CATTLE &	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within IDAHO County			
	T30N R02W S02	NESW	NESE	SESE	
	S12	NWSW	SWSW	SESW	NESE
	DOMESTIC	Within IDAHO County			
	T30N R02W S12	NWSW	OK.		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

INSTREAM STOCKWATERING FROM THE STREAMS IN NESE SECTION 12 &
NESW, NESE, SESE IN SECTION 2

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP30N02W12/2104

None of the claimed POB's nor POU's relate to Home Sweet Home Creek.

